



PRYOR CASHMAN LLP

New York | Los Angeles | Miami

7 Times Square, New York, NY 10036-6569 Tel: 212-421-4100 Fax: 212-326-0806

pryorcashman.com

Todd E. Soloway
Partner

Direct Tel: 212-326-0252
Direct Fax: 212-798-6328
TSoloway@PRYORCASHMAN.com

August 7, 2023

VIA ECF

Hon. Nelson S. Román, United States District Judge
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

USDC SDNY
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Re: Palisades Estates EOM, LLC et al. v. County of Rockland, New York et al.,
Case No. 7:23-cv-04215(NSR) – Request for Leave to File Overlength Brief

Dear Judge Román:

We are counsel to Plaintiffs in the above-referenced action.

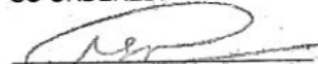
Plaintiffs intend to file a motion for a preliminary injunction to enjoin Defendants Rockland County, Orange County, Dutchess County, and Onondaga County (collectively, the “Counties”), and the towns of Orangetown, Newburgh, Poughkeepsie, Salina, and Colonie (collectively, the “Towns”), from taking any actions (1) pursuant to, or in an effort to enforce or otherwise implement, directly or indirectly, the executive orders issued by the Counties (and Albany County) with respect to the transportation and accommodation of migrants seeking asylum in the United States (“Asylum Refugees”); (2) to prevent Plaintiffs from transporting or making public accommodations available to Asylum Refugees; or (3) to intimidate, harass, punish, or otherwise retaliate against Plaintiffs for agreeing to transport or make accommodations available to Asylum Refugees.

Pursuant to Rule 3.B of Your Honor’s Individual Practices in Civil Cases, Plaintiffs respectfully request permission to file a brief over 25 pages in length in support of their motion. There are a variety of constitutional and other issues for which Plaintiffs have a likelihood of success on the merits – including constitutional claims under the Due Process Clause, Equal Protection Clause, Contract Clause, and Unreasonable Search and Seizure protections of the Fourth Amendment, in addition to various federal statutes, including the Civil Rights Act of 1866 and the Civil Rights Act of 1964. All of these claims are addressed in Plaintiff’s brief.

In addition, Plaintiffs have consolidated what otherwise would be five separate motions (one for each Plaintiff against the respective County and Town in which such Plaintiff operates) into a single motion. In connection with upcoming motions to dismiss, Your Honor permitted the filing of consolidated moving and opposition briefs not to exceed 75 pages. We respectfully request the same page limit here.

Plfs.’ request is GRANTED. Plfs. are permitted to file a consolidated moving brief not to exceed 75 pages.

SO ORDERED:


HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE

Dated: August 9, 2023
White Plains, NY

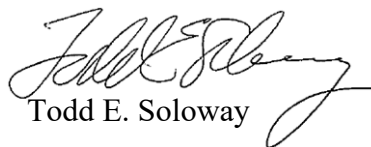
MEMO ENDORSED



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Thank you for the Court's consideration of this request. We are available at the Court's convenience to discuss any aspect of this matter.

Respectfully submitted,



Todd E. Soloway

CC: All counsel (via ECF)